

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF

TUESDAY, JANUARY 25, 1983

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Chairperson Mitchell at 9:09 a.m. The meeting was recessed by Deputy Mayor Cleator at 9:17 a.m. to convene as the Redevelopment Agency. The meeting was reconvened by Deputy Mayor Cleator at 9:23 a.m. with all Council members present. The meeting was recessed by Deputy Mayor Cleator at 9:28 a.m. The meeting was reconvened by Deputy Mayor Cleator at 9:39 a.m. with all Council members present. The meeting was recessed by Deputy Mayor Cleator at 10:45 a.m. The meeting was reconvened by Deputy Mayor Cleator at 10:59 a.m. with all Council members present. The meeting was recessed by Deputy Mayor Cleator at 11:44 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Deputy Mayor Cleator at 2:08 p.m. with Council Members Mitchell and Struiksma not present. The meeting was recessed by Deputy Mayor Cleator at 2:10 p.m. into Closed Session on pending litigation in the twelfth floor conference room. The meeting was reconvened by Deputy Mayor Cleator at 3:19 p.m. with all Council members present. The meeting was adjourned by Deputy Mayor Cleator at 3:21 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor-vacant.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-present.
 - (4) Council Member Jones-present.
 - (5) Council Member Struiksma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Martinez-present.
- Clerk-Abdelnour (bb a.m.; eb p.m.)

FILE LOCATION:

MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

Mayor-vacant.

Council Member Mitchell-present.

Council Member Cleator-present.

Council Member Golding-present.
Council Member Jones- present.
Council Member Struiksma-present.
Council Member Gotch- present.
Council Member Murphy-present.
Council Member Martinez- present.

ITEM-310: NEW EMPLOYEES WELCOMED BY COUNCIL

Welcome to New Employees.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A081-098).

ITEM-311: (R-83-1057) ADOPTED AS RESOLUTION R-257848

Authorizing suggestion awards and making a presentation to the following employees:

John L. Brewer -Fire Department -\$1,010.

Danny L. Lenz -General Services Department -\$1,000.

Larry Wasserman -Water Utilities Department -\$500.

FILE LOCATION:

MEET

COUNCIL ACTION: (Tape location: A013-059).

MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-not present, Golding-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-312:

19830125

Four actions relative to authorizing suggestion awards to the following employees:

Subitem-A: (R-83-1058) ADOPTED AS RESOLUTION R-257849

Albert D. Johnson -General Services Department -\$450.

Vincent De Leva -General Services Department -\$310.

Bruce G. Brown and Jim Toci -City Council Offices and General Services Department -\$255.

Subitem-B: (R-83-1059) ADOPTED AS RESOLUTION R-257850

Willie C. Shipley and Jesus Ann Wilson -General Services Department -\$160.

Cathy L. Koivisto -Planning Department -\$60.
Kenneth W. Roberts -General Services Department -\$50.
Willie C. Shipley -General Services Department -\$50.
Subitem-C: (R-83-1060) ADOPTED AS RESOLUTION R-257851

Elbert L. Burnett Jr. and Dennis P. Pascale -Fire
Department -\$50.
Joe A. Pirronello -Fire Department -\$45.
Robert F. Hutchison -Park and Recreation Department -\$30.
John C. Petersen -Fire Department -\$25.
Subitem-D: (R-83-1061) ADOPTED AS RESOLUTION R-257852

David A. Buck -Fire Department -\$25.
Richard H. Salle -Fire Department -\$25.
Herbert M. Yaklin -Park and Recreation Department -\$25.
FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: A060-080).
MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the
following vote: Mitchell-yea, Cleator-not present, Golding-yea,
Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor-vacant.

ITEM-330:

19830125

(Continued from the meetings of August 23, 1982 and October
12, 1982; last continued at Council Member Murphy's request.
Reconsidered on November 22, 1982.)

Matters affecting the following real property:

Portions of Pueblo Lots 1237 and 1238 of the Pueblo Lands,
Miscellaneous Map-36, (approximately 19.16 acres), located east
of Regents Road between Conrad and Ogalala Avenues, in the
Clairemont Mesa Community Plan Area.

1) Rezoning the above described real property from Zone
R-1-15 (HR) to Zone R-1-8 (HR).

(Case-5-81-031.)

2) Appeal of Techbilt Construction Corporation, by James
Milch, from the decision of the Planning Commission in denying
Planned Residential Development PRD-20-231-0 to construct 100
residential units, in the R-1-5 and R-1-15 (HR) (proposed R-1-5
and R-1-8 (HR) Zones), on the above described real property.

3) Appeal of Techbilt Construction Corporation, by James
Milch, from the decision of the Planning Commission in denying
Tentative Map TM-02-091-0 (Greenbelt) which proposes a two-lot

subdivision of the above described real property.

(Clairemont Mesa Community Plan Area. District-6.)

Subitem-A: (R-83-156) ADOPTED AS RESOLUTION R-257853

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-81-04-05 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-83-1200) ADOPTED AS RESOLUTION R-257854 GRANTING THE APPEAL AND PERMIT

Adoption of a Resolution granting or denying the appeal and the permit with appropriate findings to support Council action.

Subitem-C: (R-83-1201) ADOPTED AS RESOLUTION R-257855 GRANTING THE APPEAL AND MAP

Adoption of a Resolution granting or denying the appeal and the map with appropriate findings to support Council action.

Subitem-D: (O-83-37) ORDINANCE INTRODUCED AS AMENDED, TO BE ADOPTED FEBRUARY 7, 1983

Introduction of an Ordinance for R-1-8 Zoning.

Subitem-E: (R-83-1202) ADOPTED AS RESOLUTION R-257856

Adoption of a Resolution containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with Environmental Impact Report EIR-81-04-05.

FILE LOCATION: Subitems A,B,D PERM PRD-20-231-0; Subitem C SUBD Greenbelt; Subitem D ZONE 1/25/83

COUNCIL ACTION: (Tape location: A242-D040).

Hearing began at 9:39 a.m. and recessed at 10:45 a.m.

Hearing resumed at 10:59 a.m. and halted at 11:44 a.m.

Testimony in favor of appeal by Louis Wolfsheimer and James Milch.

Testimony in opposition of appeal by Deborah Massie, Merlin Osterhaus, Arthur F. Casey and Samuel Goldstein.

Motion by Gotch to deny the appeals, map and permit and uphold the decision of the Planning Department and Planning Commission. Second by Mitchell. Failed. Yeas: 1,2,4,6. Nays: 3,5,7,8. Not present: None. Vacant: M.

Motion by Gotch that an open space easement within the area that was referenced be granted to the City of San Diego, and that a traffic signal at the intersection of Lakehurst and Clairemont Drive

be made a part of the project with expense(s) to be incurred by the developer. Second by Martinez. Passed. Yeas: 1,2,3,4,5,6,7,8.

Nays: None. Not present: None. Vacant: M.

MOTION BY STRUIKSMA TO CLOSE HEARING, ADOPT SUBITEMS A, B, C
AND
E GRANTING THE APPEALS, THE PERMIT AND MAP, AND INTRODUCE
SUBITEM D

AS AMENDED TO R-1-10 ZONING WITH THE CONDITIONS AS STATED IN
COUNCIL

MEMBER GOTCH'S MOTION. Second by Martinez. Passed by the following
vote: Mitchell-nay, Cleator-nay, Golding-yea, Jones-yea,
Struiksma-yea, Gotch-nay, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-331:

19830125

A proposal to amend Chapter X, Article 1, Division 5 of the
Municipal Code of the City of San Diego by amending Section
101.0550 D, paragraph 2b relating to fee/deposits for Sidewalk
Cafe Permits.

The revision will comply with a State law requiring Council
establishment by resolution or ordinance of all fee/deposits
and will be as follows:

"The applicant shall pay a deposit as required by Section
101.0204 of the Municipal Code."

Subitem-A: (R-83-1079) ADOPTED AS RESOLUTION R-257858

Adoption of a Resolution authorizing the establishment of a
deposit of \$350.00 for processing a Sidewalk Cafe Permit.

Subitem-B: (O-83-113) INTRODUCED, TO BE ADOPTED FEBRUARY 7,
1983

Introduction of an Ordinance amending the San Diego
Municipal Code.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E010-035).

Hearing began 2:08 p.m. and halted 2:09 p.m.

MOTION BY GOTCH TO CLOSE THE HEARING, ADOPT SUBITEM-A, AND
INTRODUCE SUBITEM-B. Second by Murphy. Passed by the following
vote: Mitchell-not present, Cleator-yea, Golding-yea, Jones-yea,
Struiksma-not present, Gotch-yea, Murphy-yea, Martinez-yea,
Mayor-vacant.

ITEM-332:

19830125

Matter of rezoning Lot 3 of Nagel Tract, Map-3826 (a 1.33 acre site), located at 3465 Camino del Rio South, in the proposed Mission Valley Community Plan area, from Zone R-1-40 to Zone CO.

(Case-82-0247. District-5.)

Subitem-A: (R-83-1026) ADOPTED AS RESOLUTION R-257859

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0247 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-129) INTRODUCED, TO BE ADOPTED FEBRUARY 7, 1983

Introduction of an Ordinance for CO Zoning.

FILE LOCATION: ZONE 1/25/83

COUNCIL ACTION: (Tape location: E039-055).

Hearing began 3:19 p.m. and halted 3:20 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT SUBITEM-A,

AND

INTRODUCE SUBITEM-B. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-yea, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-333:

19830125

Matter of rezoning a portion of Lot 50, Highlands Subdivision, Map-284 (a 2.45 acre site), located at the west end of Dagget Street and north of Balboa Avenue, in the Serra Mesa Community Plan area, from Zone R-1-20 to Zone M-1B.

(Case-82-0565. District-5.)

Subitem-A: (R-83-1027) ADOPTED AS RESOLUTION R-257860

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-82-0565 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-83-130) INTRODUCED, TO BE ADOPTED FEBRUARY 7, 1983

Introduction of an Ordinance for M-1B Zoning.

FILE LOCATION: ZONE 1/25/83

COUNCIL ACTION: (Tape location: E056-069).

Hearing began 3:20 p.m. and halted 3:21 p.m.

MOTION BY STRUIKSMA TO CLOSE THE HEARING, ADOPT SUBITEM-A,
AND

INTRODUCE SUBITEM-B. Second by Gotch. Passed by the following
vote: Mitchell-yea, Cleator-yea, Golding-yea, Jones-yea,
Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ITEM-S500: (R-83-1115 Rev.) ADOPTED AS RESOLUTION R-257857

Authorizing the execution of an amendment to the lease with
Linda Vista Village, amending that certain lease of the Linda
Vista Village Mobile Home Park dated October 24, 1979, to
provide for limitations on rental increases to tenants tied to
75 percent of the "rent residential" component of the Consumer
Price Index, and which amendment further provides for a rent
credit to the lessee in the amount of \$54,591.72, and which
lease amendment further deletes the provision for an adjustment
of percentage rent to City at 10-year intervals and limits the
number of subsidized spaces in the mobile home park to a
maximum of 66, and which amendment further provides procedures
for sales of units to senior citizens and low and very low
income persons and families, and contains additional provisions
as more particularly set forth in said amendment.

(See City Manager Report CMR-83-16. Located on Wheatstone
and Osler Streets. District-5.)

COMMITTEE ACTION: Reviewed by PFR on 1/19/83. Recommendation to adopt the
Resolution. Districts 1, 4, 6, 7 and 8 voted yea.

FILE LOCATION:

LEAS Linda Vista Village

COUNCIL ACTION: (Tape location: A161-241).

MOTION BY STRUIKSMA TO ADOPT. Second by Jones. Passed by the
following vote: Mitchell-yea, Cleator-yea, Golding-yea, Jones-yea,
Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor-vacant.

ADJOURNMENT:

By common consent the meeting was adjourned by Deputy Mayor
Cleator at 3:21 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: E070).